



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

2005 AUG -4 PM 1:48

Ref: 8MO

JUL 22 2005

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

FILED
EPA REGION VIII
HEARING CLERK

Mr. Doran Hewitt
Spring Creek Tavern
P.O. Box 125
Bighorn, MT 59010

Re: Administrative Order
Docket No. SDWA-08-2003-0028
PWS ID# MT0000958

Dear Mr. Hewitt:

This letter is to inform you of the Environmental Protection Agency's (EPA's) decision to conditionally close the Administrative Order ("Order") (Docket No. SDWA-08-2003-0028) that EPA issued to Spring Creek Tavern on September 29, 2003. Based on the information which EPA received from the Montana Department of Environmental Quality after EPA issued the Order, EPA has determined that you had performed adequate nitrate monitoring during the years that the Order alleged violations. The MDEQ letter notified you that well #2 need not be sampled for bacteria or nitrate unless it is used for the Tavern, or unless the trailer court it serves grows to a size which meets the definition of a Public Water Supply.

EPA will close the Order when EPA receives from you a signed statement stating: (1) you do not presently use well #2 to serve the tavern; (2) and you will begin sampling well #2 immediately upon using the well to serve the Tavern, or upon the trailer court growing to a size which meets the definition of a public water system. Within ten (10) days of receipt of this letter, please send your signed statement to me at the following address: Eric Finke, EPA Montana Office, Federal Building Suite 3200, 10 West 15th Street, Helena, MT 59626.

Please be aware that you are still required to comply with the National Primary Drinking Water Regulations ("NPDWRs"), 40 C.F.R. part 141. Violation of the NPDWRs or an administrative order may subject you to a court-imposed injunction and penalties of up to \$32,500 per day of violation.

If have any questions about your compliance requirements, please call me at 406-457-5026 or Michelle Marcu, Enforcement Attorney, at 303-312-6921.

Sincerely,

Eric Finke
Environmental Protection Specialist

July 27, 2005

ENVIRONMENTAL
PROTECTION AGENCY

AUG 3 2005

MONTANA OFFICE

Mr. Eric Finke
Environmental Protection Specialist
EPA Montana Office
Federal Building Suite 3200
10 West 15th St.
Helena, MT 59626

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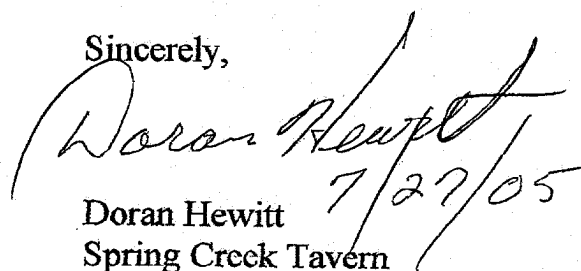
Dear Mr. Finke:

I am in receipt of your certified letter dated July 22, 2005, informing me of the EPA's decision regarding the above referenced order.

To satisfy the EPA's requirements outlined in your letter, I am stating that I do not presently use well #2 to serve the tavern, and will begin sampling this well immediately upon using the well to serve the tavern, or upon the trailer court growing to a size which meets the definition of a public water system.

I will also continue to comply with the NPDWRs.

Sincerely,


Doran Hewitt
Spring Creek Tavern

7/27/05